

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1268

WILLIAM SCOTT DAVIS, II,

Plaintiff - Appellant,

and

BABY J.F.D., c/o William S. Davis, II; ESTATE OF WILLIAM
SCOTT DAVIS, SR., Deceased,

Plaintiffs,

v.

ALBERT J. SINGER; DANIELLE DOYLE; SYDNEY J. BATCH; BATCH,
POORE & WILLIAMS, LLP; MICHELE JAWORSKI SUAREZ; MELANIE A.
SHEKITA; MICHELLE SAVAGE; ERIC CRAIG CHASSE; LISA SELLERS;
CHARLOTTE MITCHELL; WENDY KIRWAN; SONJI CARLTON; NANCEY
BERSON; DR. SUSAN GARVEY; ROBERT B. RADAR; MARGARET EAGLES;
RICHARD CROUTHARMEL; WAKE COUNTY GOVERNMENT,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Newport News. Rebecca Beach Smith,
Chief District Judge. (4:13-cv-00007-RBS-DEM)

Submitted: May 18, 2016

Decided: May 23, 2016

Before SHEDD, DIAZ, and HARRIS, Circuit Judges.

Affirmed in part and dismissed in part by unpublished per curiam
opinion.

William Scott Davis, II, Appellant Pro Se. Roger Allen Askew, WAKE COUNTY ATTORNEY'S OFFICE, Raleigh, North Carolina; James Nicholas Ellis, Lisa Patterson Sumner, POYNER SPRUILL LLP, Raleigh, North Carolina; Sydney J. Batch, BATCH, POORE & WILLIAMS LLP, Raleigh, North Carolina; Elizabeth A. Martineau, MARTINEAU KING PLLC, Charlotte, North Carolina; Peter Andrew Teumer, ROBEY TEUMER & DRASH, Norfolk, Virginia; Allison Jean Becker, YATES, MCLAMB & WEYHER, LLP, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Scott Davis, II, seeks to appeal several postjudgment orders relating to a closed civil matter. We dismiss the appeal for lack of jurisdiction in part and affirm in part.

Parties are accorded 30 days after the entry of the district court's final judgment or order to note an appeal, Fed. R. App. P. 4(a)(1)(A), unless the district court extends the appeal period under Fed. R. App. P. 4(a)(5), or reopens the appeal period under Fed. R. App. P. 4(a)(6). "[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement." Bowles v. Russell, 551 U.S. 205, 214 (2007).

Davis' appeal is timely only as to the district court's order granting a consent motion for substitution of counsel. Having reviewed the record and finding no reversible error, we affirm the district court's order.

Davis' appeal is untimely as to all other orders he seeks to challenge. The latest such order was entered on the docket on October 20, 2015. Davis' earliest notice of appeal was filed on February 29, 2016.* Because Davis failed to file a timely

*For the purpose of this appeal, we assume that the date appearing on the notice of appeal is the earliest date it could have been properly delivered to prison officials for mailing to the court. Fed. R. App. P. 4(c); Houston v. Lack, 487 U.S. 266 (1988).

notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the remainder of his appeal for lack of jurisdiction. We deny Davis' motion to remand. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED IN PART;
DISMISSED IN PART